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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/504,823

08/17/2004

Hideki Kasamatsu

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03/03/2009

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EXAMINER

HICKS, CHARLES N

ART UNIT

PAPER NUMBER

2424

MAIL DATE

DELIVERY MODE

03/03/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/504,823 | Applicant(s) KASAMATSU ET AL. | |
| | Examiner CHARLES N. HICKS | Art Unit 2424 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1, 2 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1-2, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto (US Patent No. 7,346,917 B2), hereinafter referred to as Gatto, in view of Laksono (US Patent No. 7,200,855 B2), hereinafter referred to as Laksono.

5. Regarding claim 1, Gatto discloses a television system comprising a main television set and a sub-television set, wherein the main television set comprises:

a plurality of tuners (**fig. 1-2, col. 6, lines 50-68**);

a matrix switch for selecting, out of receiving signals received by the plurality of tuners, the receiving signal for broadcasting on the main television set as well as selecting the receiving signal for broadcasting on the sub-television set (**fig. 1-2, col. 7, lines 35-65 wherein the main set-top box serves as the matrix switch for selecting output controlled by the remote control**);

a first signal processing circuit for processing the receiving signal for broadcasting on the main television set selected by the matrix switch, to generate a video signal and an audio signal for broadcasting on the main television set (**fig. 1-3, col. 8, lines 8-32**);

a first wireless transmission unit for wireless-transmitting to the sub-television set the receiving signal for broadcasting on the sub-television set selected by the matrix switch (**fig. 1-3, col. 8, lines 8-50**);

and first control means for controlling the plurality of tuners, the matrix switch, and the first wireless transmission unit (**fig. 1-5, col. 8, lines 33-65**),

and the sub-television set comprises: a second wireless transmission unit for receiving the receiving signal for broadcasting on the sub-television set transmitted from the first wireless transmission unit in the main television set (**fig. 1-7, col. 6, lines 50-68, col. 7, lines 35-65**);

a second signal processing circuit for processing the receiving signal for broadcasting on the sub-television set received by the second wireless transmission unit, to generate a video signal and an audio signal for broadcasting on the sub-television set (**fig. 1-5, col. 6, lines 50-68, col. 7, lines 35-65**);

and a second control unit for controlling the second wireless transmission unit, wherein the plurality of tuners comprise a digital satellite wave tuner, a digital terrestrial wave tuner and an analog terrestrial wave tuner (**fig. 1-5, col. 8, lines 33-65** *wherein the plurality of tuners includes satellite tuners and digital and analog cable tuners*);

the matrix switch selects a digital AV stream for broadcasting on the main television set and a digital AV stream for broadcasting on the sub-television set, out of a plurality of digital AV streams which have a common signal form (**fig. 1-2, col. 7, lines 35-65** *wherein the main set-top box serves as the matrix switch for selecting output controlled by the remote control*);

a first digital AV stream outputted from the digital satellite wave tuner is inputted to the matrix switch (**fig. 1-2, col. 7, lines 35-65** *wherein the main set-top box serves as the matrix switch for selecting output controlled by the remote control*);

and a second digital AV stream outputted from the digital terrestrial wave tuner is inputted to the matrix switch, the second digital AV stream having the signal form common to the first digital AV stream (**fig. 1-2, col. 7, lines 35-65** *wherein the main set-top box serves as the matrix switch for selecting output controlled by the remote control*).

Gatto is silent regarding the analog terrestrial wave tuner encoded, or decoding the digital AV stream. However Laksono discloses an analog video signal and an analog audio signal which are outputted from the analog terrestrial wave tuner are encoded after being respectively converted into digital signals, and are further multiplexed to be converted into a third digital AV stream, which is then inputted to the matrix switch, the third digital AV stream having the signal form common to the first digital AV stream (**fig. 1-5, col. 5, lines 61-68, col. 6, lines 1-9**);

Laksono also discloses the first signal processing circuit comprises a decoder for decoding the digital AV stream for broadcasting on the main television set selected by the matrix switch (**fig. 30-31, col. 40, lines 25-43**). Motivation to combine the references is due to the fact that the references deal with signal distribution in a given network with centralized reception, distribution, and selection of the disbursed signals. Therefore the invention would have been obvious to one of ordinary skill in the art at the time of the invention.

6. Regarding claim 2, Gatto discloses the television system characterized in that the first wireless transmission unit and the second wireless transmission unit can bidirectionally communicate various types of commands to each other (**fig. 1-5, col. 8, lines 33-65**).

7. Regarding claim 5, Gatto discloses the television system characterized in that there is provided a switch for selecting either the video signal and the audio signal

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which are generated by the first signal processing circuit or the video signal and the audio signal which are outputted from the analog terrestrial wave tuner and have not been encoded and outputting the selected video signal and audio signal (**fig. 1-7, col. 8, lines 60-68, col. 9, lines 1-35** *wherein the analog terrestrial wave is processed in the analog cable tuner*),

the switch is so controlled that when the digital AV stream for broadcasting on the main television set selected by the matrix switch is the digital AV stream generated on the basis of the output of the analog terrestrial wave tuner the video signal and the audio signal which are outputted from the analog terrestrial wave tuner and have not been encoded are selected (**fig. 1-7, col. 8, lines 60-68, col. 9, lines 1-35**),

and the switch is so controlled that when the digital AV stream for broadcasting on the main television set selected by the matrix switch is the digital AV stream outputted from the digital satellite wave tuner or digital terrestrial wave tuner, the video signal and the audio signal which are generated by the first signal processing circuit are selected (**fig. 1-9, col. 11, lines 14-40** *wherein the main set-top box serves as the matrix switch for selecting output controlled by the remote control*).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES N. HICKS whose telephone number is (571)270-3010. The examiner can normally be reached on M-F 7:30AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art
Unit 2424

CNH